

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MATTHEW HERRICK,

Plaintiff,

v.

**GRINDR, LLC; KL GRINDR HOLDINGS,
INC.; AND GRINDR HOLDING COMPANY,**

Defendants.

Case No. 1:17-cv-00932-VEC

**NOTICE OF MOTION TO DISMISS
AMENDED COMPLAINT**

PLEASE TAKE NOTICE that upon the attached Declaration of Wei Zhou and all prior pleadings, orders, and proceedings herein, Defendant KL Grindr Holdings Inc. (“KL Grindr”) moves this Court, before the Honorable Valerie E. Caproni, United States District Judge, at the United States District Court for the Southern District of New York, Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007 for an order dismissing Plaintiff’s First Amended Complaint (“Complaint”) in its entirety and with prejudice, pursuant to Federal Rule of Civil Procedure 12(b)(6) because the Complaint fails to state a claim upon which relief can be granted, pursuant to Rule 12(b)(2) because the Court lacks personal jurisdiction over KL Grindr, and pursuant to Rule 8(a) because the Complaint does not allege any specific acts by any individual Defendant, and granting such other relief as this Court deems just and proper.

Pursuant to the Court’s approval of the parties’ proposed briefing schedule, Plaintiff shall serve his opposition to this Motion, if any, on or before June 14, 2017, and KL Grindr shall serve its reply in further support on or before June 28, 2017. *See Doc. 45.*

Pursuant to Judge Caproni’s Individual Practices in Civil Cases, Section 3.D, KL Grindr requests oral argument on this motion.

Dated: New York, New York
May 24, 2017

BRYAN CAVE LLP

/s/ Daniel P. Waxman

Daniel P. Waxman
Jacquelyn N. Schell
Daniel H. Lewkowicz
1290 Avenue of the Americas
New York, New York 10104
DPWaxman@bryancave.com
Jacquelyn.Schell@bryancave.com
Daniel.Lewkowicz@bryancave.com
(212) 541-2000
Attorneys for Defendant
KL Grindr Holdings Inc.

TO: Carrie A. Goldberg
C.A. Goldberg PLLC
16 Court Street
Suite 2500
Brooklyn, NY 11241
carrie@cagoldberglaw.com

Tor Ekeland
Tor Ekeland, P.C.
43 West 43rd Street
Suite 50
New York, NY 10036-7424
tor@torekeland.com